

MAR 29 2006

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 10017481 -1

Inventor(s): Blaine D. Gaither et al

Confirmation No.: 6798

Application No.: 10/004195

Examiner: Elmore, Reba I.

Filing Date: Oct 31, 2001

Group Art Unit: 2189

Title: Computer Performance Improvement By Adjusting A Time Used For Preemptive Eviction Of Cache Entries

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1460  
Alexandria, VA 22313-1460

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment  
☐ New fee as calculated below  
☒ No additional fee  
☐ Other

- ☐ Petition to extend time to respond  
☐ Supplemental Declaration

Fee\$

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY                            |   |   |  |  |             |                           |
|---|---|---|--|--|-------------|---------------------------|
| (1)<br>FOR  | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT  | (3)<br>NUMBER<br>EXTRA                      | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA                      | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS   | 8   | MINUS                                       | 20   | = 0  | X \$50      | \$ 0                      |
| INDEP.<br>CLAIMS  | 1   | MINUS                                       | 3  | = 0  | X \$200     | \$ 0                      |
| <input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |   |   |  |  | + \$360     | \$ 0                      |
| EXTENSION<br>FEE  | <input type="checkbox"/> 1st Month<br>\$120 | <input type="checkbox"/> 2nd Month<br>\$450 | <input type="checkbox"/> 3rd Month<br>\$1020 | <input type="checkbox"/> 4th Month<br>\$1590 |             | \$ 0                      |
| OTHER FEES  |   |   |  |  |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT                                   |   |   |  |  |             | \$ 0                      |

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being  
transmitted to the Patent and Trademark Office  
facsimile number (571) 273-8300.

Date of facsimile: 3-29-2006

Typed Name: Cathi Christensen

Signature: Cathi Christensen

Respectfully submitted,

Blaine D. Gaither et al

By Augustus W Winfield

Augustus W Winfield

Attorney/Agent for Applicant(s)

Reg No.: 34,046

Date: MAR. 29, 2006

Telephone: 970 898 3142

MAR 29 2006

COPY

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Fort Collins, Colorado 80527-2400

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Inventor(s): Blaine D. Gaither et al

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Examiner: Elmore, Reba L.

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Title: Computer Performance Improvement By Adjusting A Time Used For Preemptive Eviction Of Cache Entries

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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Rev 1005 (TransAmdFax)

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Intellectual Property Administration  
P.O. Box 272400  
Mail Stop 35  
Fort Collins, Colorado 80527-2400

**PATENT APPLICATION****ATTORNEY DOCKET NO. 10017481-1**

**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor(s): Blaine D. Gaither****Serial No.: 10/004,195****Examiner: Elmore, Reba I****Filing Date: 10/31/2001****Group Art Unit: 2189**

**Title: Computer performance improvement by adjusting a time used for preemptive  
eviction of cache entries**

**COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450**

**RESPONSE TO OFFICE ACTION****REMARKS**

No amendments have been made. Claims 1-8 remain in the application.

Reconsideration and reexamination is respectfully requested.

In the paper dated 01/03/2006, claims 1-2, 4 and 7-8 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Number 6,601,143 (Lamparter). Applicant respectfully traverses.

Claim 1 specifies:

- (a) specifying a time period;
- (b) evicting, from a cache memory, at least one entry that has remained unchanged for at least the time period;
- (c) measuring at least one performance parameter;
- (d) changing the value of the time period;
- (e) repeating steps (b) and (c); and
- (f) determining whether the performance parameter has changed.

Claim 1, step (a), requires that a time period is specified. Regarding step (a), the